

REMARKS

1. Examiner rejected claims 1, 4, 6, 13 and 20 under 35 USC 102(b) as being anticipated by Timid Tattoos website (publishing date 11/28/1999).
2. Applicant has reviewed the material provided by Examiner regarding the Timid Tattoos website. However, Applicant is uncertain where Examiner is suggesting the disclosure of the claimed invention is shown. The Timid Tattoos items appear to be similar in nature the devices shown in the cited references 4,220,016 "Skin Jewelry", 5,232,752 "Decorative Ornaments for Garments" and 5,233,845 Three Dimensional, Detailed Sculptured Jewelry." Nothing in the disclosure mentions beads or a strand of material. Applicant has attempted to find further information on this product, but has not been successful in finding any further information about the items. The prior devices Applicant has seen are fabric or plastic with jewels glued to the base. Without additional information, Applicant can only assume that this would be a similar device. Without further information on the item in question, Applicant submits that the relevance of the reference is too unclear to be cited as anticipating Applicant's claimed invention under 35 USC 102(b).

Therefore, Applicant requests that Examiner withdraw this rejection or clarify where the features claimed in claims 1, 4, 6, 13 and 20 are disclosed in the reference.

3. Examiner rejected claim 1-11, 14 and 17-20 under 35 USC 103(a) as being unpatentable over Benedek et al. (US 4,562,704) in view of Swaim (US 5,279,132).
4. Examiner rejected claim 12 and 13 under 35 USC 103(a) as being unpatentable over Benedek et al. (US 4,562,704) in view of Swaim (US 5,279,132) in further view of Hector (US 5,590,546).
5. Examiner rejected claim 15 and 16 under 35 USC 103(a) as being unpatentable over Benedek et al. (US 4,562,704) in view of Swaim (US 5,279,132) in further view of Hector (US 5,590,546).

6. Applicant's invention, as recited in claims 1 and 15, has a string of beads that are adhered directly to the skin of the user. This allows the user to wear the beads in virtually any location on the body, such as the eyelid, arm, leg, etc, and in any configuration chosen by the user. Benedek et al. and Hector are pieces of jewelry worn in the standard fashion as a necklace, bracelet, etc. Swaim is a holder that has a single tacky surface, which is used to hold a discrete point of a necklace or bracelet to the user. Swaim states that the "novel holding device . . . is formed from a disc, charm or the like . . ." (column 2, lines 34-37). Contrary to Examiner's assertion, this does not state that any surface may be used. Swaim explicit states that it uses a disc, charm or similar object. This does not suggest or disclose adhesive connecting a plurality of beads directly to the user's skin as is claimed in claim 1. Swaim states that the adhesive may be placed on the adornment (the original item on the necklace), the original chain tag 26 (if present), or it may be placed on "a disk, a charm or the like" which is attachable to the original necklace. This is used to hold a discrete portion of a piece of jewelry in place, not the entire item.

The present invention allows for a new style of jewelry where a string of beads may be attached to the skin in swirls or other configuration depending on the desire of the user. One day the string of beads may be worn in a spiral, the next day as a zigzag, arc or other shape. This new style goes beyond the bounds previously set by the standard style of jewelry. Areas of the body, which were previously difficult and/or time consuming to decorate, may be quickly and easily adorned with the present invention.

None of the references cited by the Examiner, nor any combination thereof, recite or suggest an accessory having a string of beads where the beads are adhered directly to the skin of the user. Therefore, Applicant submits that the claims are novel and nonobvious and respectfully requests allowance thereof.

7. Claims 2, 3, 5-8, 12-14, and 17-22, being dependent on claim 1, should also be in allowable form. Allowance of these claims is also respectfully requested.

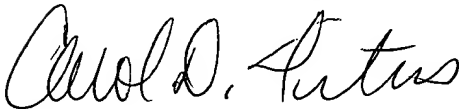
8. New claims 23-25 are also novel and nonobvious over the prior art. Allowance of these claims is also respectfully requested.

CONCLUSION

For all the reasons above, Applicant submits that the claims all define novel subject matter that is nonobvious. Therefore, allowance of these claims is submitted to be proper and is respectfully requested.

Applicant invites the Examiner to contact Applicant's representative as listed below for a telephonic interview if so doing would expedite the prosecution of the application.

Very respectfully submitted,




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CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as attached hereto, addressed to the Commissioner of Patents, Alexandria, VA 22313, will be deposited with the U.S. Postal Service as first class mail with sufficient postage at Newark on May 26, 2004.

Signature


Carol D. Titus

Date: May 26, 2004